

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA**

In re:

MERCY HOSPITAL, IOWA CITY, IOWA, *et al.*,

Debtors.

)
) Chapter 11
)
) Case No. 23-00623 (TJC)
)
) Jointly Administered
)
) **Obj. Deadline: 08/22/2024**
)

**NOTICE OF FIRST APPLICATION OF FIFTH THIRD SECURITIES, INC. (F.K.A.
H2C SECURITIES, INC.) AS INVESTMENT BANKER TO THE DEBTORS FOR
ALLOWANCE OF COMPENSATION FOR SERVICES RENDERED AND FOR
REIMBURSEMENT OF ACTUAL AND NECESSARY EXPENSES INCURRED
FROM FEBRUARY 1, 2024 TO AND INCLUDING JUNE 24, 2024 RELATED TO
JOINT VENTURE SALE TRANSACTIONS**

PLEASE TAKE NOTICE that, on August 8, 2024, the *First Application of Fifth Third Securities, Inc. (F.K.A. H2C Securities, Inc.) as Investment Banker to the Debtors for Allowance of Compensation for Services Rendered and for Reimbursement of Actual and Necessary Expenses Incurred from February 1, 2024 to and Including June 24, 2024 Related to Joint Venture Sale Transactions* (the “Application”) was filed with the United States Bankruptcy Court for the Northern District of Iowa (the “Court”).

PLEASE TAKE FURTHER NOTICE that objections, if any, to the Application or the relief requested therein must be made in accordance with paragraph 24 of the *Findings of Fact, Conclusions of Law, and Order Confirming Debtors’ Joint Chapter 11 Plan of Liquidation* [Docket No. 1114] (the “Confirmation Order”) and must be filed with the Court and served so as to be received by the following parties listed in the Interim Compensation Order no later than **August 22, 2024**:

- (a) Fifth Third Securities, Inc., Nyemaster Goode, P.C., 3344 Peachtree Road NE, Suite 900, Atlanta, GA 30326, Attn: C. Richard Bayman (rich.bayman@53.com);
- (b) Counsel to the Liquidation Trustee, Cutler Law Firm, P.C., 1307 50th Street, West Des Moines, IA 50266, Attn: Robert C. Gainer (rgainer@cutlerfirm.com) and Sills Cummis & Gross P.C., The Legal Center, One Riverfront Plaza, Newark, NJ 07102, Attn: Andrew H. Sherman (asherman@sillscummis.com) and Boris Mankovetskiy (bmankovetskiy@sillscummis.com); and

- (c) Office of the United States Trustee for the Northern District of Iowa, 111 Seventh Avenue SE, Suite 2800, Cedar Rapids, IA, 52401, Attn: Janet G.L. Reasoner (Janet.G.Reasoner@usdoj.gov)

PLEASE TAKE FURTHER NOTICE that, if an objection is properly filed and served in accordance with the above procedures, a hearing (the “Hearing”) on the Application will be held at a time and date to be determined before the Honorable Thad J. Collins, United States Bankruptcy Judge, United States Bankruptcy Court for the Northern District of Iowa, 111 7th Ave. SE, Cedar Rapids, IA 52401. Only objections made in writing and timely filed and received will be considered by the Court at such Hearing.

PLEASE TAKE FURTHER NOTICE THAT IF NO OBJECTIONS TO THE APPLICATION ARE TIMELY FILED AND RECEIVED IN ACCORDANCE WITH THE CONFIRMATION ORDER, THE COURT MAY ALLOW FULL PAYMENT SOUGHT IN THE APPLICATION WITHOUT A HEARING.

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Dated: August 8, 2024

NYEMASTER GOODE, P.C.

/s/ Roy Leaf

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Counsel for Debtors and Debtors-in-Possession

Certificate of Service

The undersigned certifies, under penalty of perjury, that on this August 8, 2024, the foregoing document was electronically filed with the Clerk of Court using the Northern District of Iowa CM/ECF and the document was served electronically through the CM/ECF system to the parties of this case

/s/ Roy Leaf